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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional): PHA23.914A

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]

on _____

Signature _____

Typed or printed name _____

Application Number	Filed
10/780,471	02-17-2004

First Named Inventor: MOHINDRA

Art Unit	Examiner
2617	AFSHAR, KAMRAN

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).
Note: No more than five (5) pages may be provided.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

☑ attorney or agent of record.
Registration number 33,089

☐ attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34 _____

Signature

Michael Ure
Typed or printed name

408 674-0271
Telephone number

10/23/07
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

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Application Number:	10/780,471
Filing or 371 (c) Date:	02-17-2004
Application Type:	Utility
Examiner Name:	AFSHAR, KAMRAN
Group Art Unit:	2617
Confirmation Number:	1404
Attorney Docket Number:	PHA23.914A
Class / Subclass:	455/313
First Named Inventor:	Rishi Mohindra , Milpitas, CA

Title of Invention: High dynamic range low ripple RSSI for zero-IF or low-IF receivers

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE—PRE-APPEAL CONFERENCE

Sir:

The following Remarks are responsive to the Office Action of 08/23/2007.

REMARKS

The Office Action of 08/23/2007 has been carefully considered. Reconsideration in view of the present remarks is respectfully requested.

The Terminal Disclaimer previously submitted was found insufficient. A new Terminal Disclaimer is now being obtained.

The amended claims were rejected as being inadequately supported by the specification with respect to the feature of "forming a sum of first and second absolute values, wherein the in-phase signal component and the quadrature signal component contribute to the sum in equal proportion." This rejection is respectfully traversed.

The written description requirement may be satisfied by the specification, the drawing, or both. In Figure 3 of the drawing, it may be seen that the absolute value of the in-phase signal component is taken, the absolute value of the quadrature signal component is taken, and the absolute values are summed. The contributions of the in-phase and quadrature signals to the sum are not weighted (as in Gabato, for example). Rather, the in-phase signal component and the quadrature signal component contribute to the sum in equal proportion. At least Figure 3 and its accompanying description are therefore believed to satisfy the written description requirement.

The following claims were rejected as being unpatentable over Gabato in view of Bodtmann: 1, 4, 15 and 16; the following claims were rejected as being unpatentable over Gabato in view of Haartsen further in view of Bodtmann: 7, 13, 20, 21 and 25; the following claims were rejected as being unpatentable over Gabato in view of Bodtmann further in view of Yoshizawa: 5 and 17; the following claim was rejected as being unpatentable over Gabato in view of Bodtmann further in view of Chamber: 6; the

following claims were rejected as being unpatentable over the base combination of Gabato, Haartsen and Bodtmann further in view of Yoshizawa: 10, 12, 14, 15, 18, 22 and 23; the following claims were rejected as being unpatentable over the same base combination further in view of Chamber: 11, 19, 24 and 26. These rejections are respectfully traversed and reconsideration is respectfully requested.

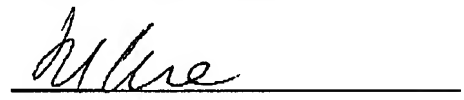
Gabato is described in the Background section of the present application (page 1, second full paragraph to page 2, first full paragraph). In Gabato, different scale factors are applied to the in-phase and quadrature components in order to approximate the square root of the sum of the squares. Hence, in Gabato, the in-phase and quadrature components contribute to the sum in vastly differing proportions.

Unlike Gabato, in the present invention, the in-phase signal component and the quadrature signal component contribute to the sum used to form the RSSI indication *in equal proportion*. The Office Action takes the position that, although such a feature is not taught by Gabato, it is taught by Bodtmann in such a way that it would have been obvious to combine the teachings of the references in such a manner as to arrive at the present invention. This is not the case.

Whereas Gabato relates to a received signal strength indicator (RSSI) circuit, Bodtmann relates to something quite different, namely a radio transmitter circuit in which a baseband signal is modulated by two modulators whose outputs are combined in such a way as to eliminate third-order nonlinearities (Abstract). It would therefore not have been obvious to combine the teachings of Bodtmann, relating to a radio *transmitter*, with those of Gabato, relating to an RSSI circuit used in a radio *receiver* in such a way as to arrive at the present invention. The rejections, all of which are based on the combination of Gabato and Bodtmann, are therefore believed to be unsupportable.

Withdrawal of the rejections and allowance of claims 1, 4-7, and 10-26 upon submission of an appropriate Terminal Disclaimer is respectfully requested.

Respectfully submitted,



Michael J. Ure, Reg. 33,089

Dated: 10/23/2007